

THE WHITE HOUSE

WASHINGTON

April 2, 1975

MEMORANDUM FOR THE PRESIDENT

FROM:

PHILIP BUCHEN

P.W.B.

SUBJECT:

Request of Senate Select Committee to Study
Governmental Operations with Respect to
Intelligence Activities for Information

By letter dated March 12, 1975, Senator Frank Church on behalf of the Select Committee requested production of four categories of White House documents (Tab A).

We have now reviewed substantially all of the subject documents with representatives of the offices of Jack Marsh and Brent Scowcroft and with representatives of the intelligence community. Based upon that review we are now ready to recommend that a significant number of the documents be made available for review by the staff of the Select Committee no later than Tuesday, April 8, 1975. It is the joint judgement of all those who have reviewed the items that they will be helpful to the Committee in its initial objective of establishing the legal structure within which the intelligence community has operated and further, that the material contained in the documents to be released for review will not raise any undue security risks. In this regard we have been reassured by Director Colby's office that the security arrangements made by the Select Committee are satisfactory for the consideration by the Committee and its staff of classified documents.

We have attached (Tab B) an analysis prepared in the White House of the materials which have been requested under categories 2, 3 and 4 of Tab A so that the distinctions which we have made between materials that can now be released for review and those that cannot may be better understood.

TOP SECRET ATTACHMENTS

Richard Chewey Files: Intel Series, box 7, f: "Buchen Memo re Release of Docs (1)."
Photocopy from Gerald R. Ford Library

It is our expectation that an additional number of documents requested by the Select Committee in its letter of March 12 will be appropriate for review by the Committee staff within 14 days.

It is our further expectation that following the later release there will remain certain documents which are so sensitive or so central to the Presidency that they may be studied by representatives of the Select Committee, if at all, only under special circumstances. It may be, for example, that we will recommend that certain of these remaining items be revealed only to the Chairman and Ranking Minority Member of the Select Committee. Such a procedure has been agreed to in principle by the Select Committee.

Item number 1 requested by the Select Committee is the report submitted to you on December 24, 1974, by Director Colby concerning alleged improper activities by the CIA (Tab C). By reason of the substantial progress which we have made in processing all other items (2, 3 and 4) in the Select Committee's request of March 12, we must consider now the question of whether the Colby Report should be released in the very near future. Our present recommendation, subject to further consultation with Director Colby and other representatives of the intelligence community, is that we be prepared to release that report for review by the Select Committee during the week of April 14. Our reasons for this recommendation are:

- (1) Much, if not all, of the Annexes to Director Colby's Report have been independently requested from the CIA which will be releasing such reports during this same time period and with our approval, and the Colby Report puts that material in a better perspective than if staff and Committee members read such material by itself.
- (2) Neither our office nor any of the other representatives of the intelligence community have any reluctance to release the Report for review.
- (3) A withholding of the Colby Report at the same time we are furnishing substantially all of the balance of the documents requested by the Committee letter of March 12 will focus unnecessary controversy on the Report.
- (4) It is apparent from our discussions with the Committee staff that Select Committee members

regard the White House response to its request for the Colby Report as a major test of the White House willingness to cooperate.

This memorandum is to alert you to the fact that we will seek final approval of the release of certain documents (see Tab B) for review by the staff of the Select Committee no later than April 8, 1975. We will also wish to review with you our preliminary opinion that the Colby Report be released for review no later than the week of April 14, 1975.